

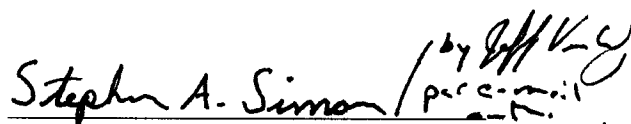
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

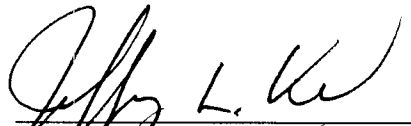
EVERETT W. WHISMAN, et al. : Case No. C-1-02-406
:
Plaintiff, : Judge Beckwith
:
v. :
FORD MOTOR COMPANY et al. :
Defendant. :

**JOINT MOTION FOR EXTENSION OF
DISPOSITIVE MOTION DEADLINE**

Now come the parties, by and through counsel, and respectfully request that the Court extend the dispositive motion deadline in this case from November 7, 2003, until November 21, 2003. The parties do not anticipate that this extension will affect the trial schedule in this case.

Respectfully submitted,


Stephen A. Simon (0068268)
DAVID M. COOK, LLC
22 West Ninth Street
Cincinnati, Ohio 45202
(513) 721-7500 telephone
(513) 721-1178 (facsimile)
Attorneys for Plaintiffs


Ellen J. Garling (0043554)
BAKER & HOSTETLER LLP
65 East State Street
Suite 2100
Columbus, OH 43215
(614) 228-1541
(614) 462-2616 (fax)
egarling@bakerlaw.com

and

Jeffery L. VanWay (0069175)
BAKER & HOSTETLER LLP
312 Walnut Street, Suite 3200
Cincinnati, Ohio 45202-4074
(513) 929-3400 telephone

John J. Hunter Jr. / by Jeff Van Wy
per e-mail auth.
10/24/03

John J. Hunter, Jr. (0034602)
HUNTER & SCHANK CO., LPA
One Canton Square
1700 Canton Avenue
Toledo, OH 43624
(419) 255-4300
(419) 255-9121 (fax)

(513) 929-0303 facsimile
jvanway@bakerlaw.com

Attorneys for Defendant
Ford Motor Company

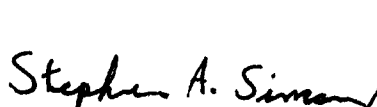
Attorney for Defendant
ZF Batavia LLC

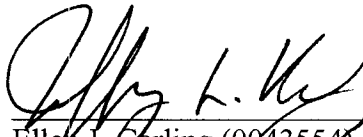
MEMORANDUM IN SUPPORT

The parties in this case have engaged in extensive discovery. This discovery includes the exchange of over 8,000 documents and the depositions of over 20 individuals. The dispositive motion deadline in this case is currently set for November 7, 2003. Due to the voluminous record in this case, the parties require additional time for the court reporter to complete the transcription of the depositions. In addition, Plaintiffs' counsel is expecting the birth of his second child during the week of November 10, and anticipates being out of the office for at least one week following the birth. Given the current schedule, Plaintiffs' counsel would be requesting an extension of time to file his response brief. Rather than extend the response time, the parties' prefer to extend the dispositive motion date and to then have all responses and replies due according to the timeframes specified in the applicable Rules of Civil Procedure and Local Rules.

For all of these reasons, the parties jointly request that the dispositive motion deadline be extended by two weeks from November 7 to November 21, 2003. The parties do not anticipate that this extension will affect the trial schedule in this case, as there is not a firm trial date at this point and the final pretrial conference is not scheduled until April 8, 2004.

Respectfully submitted,


Stephen A. Simon (0068268)
DAVID M. COOK, LLC
22 West Ninth Street
Cincinnati, Ohio 45202
(513) 721-7500 telephone
(513) 721-1178 (facsimile)
Attorneys for Plaintiffs


Ellen J. Garling (0043554)
BAKER & HOSTETLER LLP
65 East State Street
Suite 2100
Columbus, OH 43215
(614) 228-1541
(614) 462-2616 (fax)
egarling@bakerlaw.com

John J. Hunter Jr. *by Jeffery L. VanWay*
per E-mail
aut.
10/24/03

John J. Hunter, Jr. (0034602)
HUNTER & SCHANK CO., LPA
One Canton Square
1700 Canton Avenue
Toledo, OH 43624
(419) 255-4300
(419) 255-9121 (fax)

Attorney for Defendant
ZF Batavia LLC

and

Jeffery L. VanWay (0069175)
BAKER & HOSTETLER LLP
312 Walnut Street, Suite 3200
Cincinnati, Ohio 45202-4074
(513) 929-3400 telephone
(513) 929-0303 facsimile
jvanway@bakerlaw.com

Attorneys for Defendant
Ford Motor Company